

**CLE: Adjudication of Capital Cases in Delaware**  
**Friday, April 11, 2008**

**SPEAKERS**

**Andrea L. Rocanelli**  
**Chief Disciplinary Counsel**  
**Supreme Court of the State of Delaware**

Andrea L. Rocanelli, Esquire is the Chief Counsel of the Office of Disciplinary Counsel for the Delaware Supreme Court ("ODC"). She was appointed Chief Counsel by the Court in December 2003. The ODC has tremendous discretion, and Ms. Rocanelli has emphasized very careful exercise of that discretion with respect for due process. More importantly for the legal and broader Delaware communities, Ms. Rocanelli has focused on prevention of lawyer misconduct rather than prosecution based on the belief and judgment that the public is better protected by preventing lawyer misconduct in the first instance rather than prosecuting lawyers after the fact.

The ODC is authorized by the Delaware Supreme Court to evaluate, investigate and prosecute attorney misconduct, as well as the unauthorized practice of law. Ms. Rocanelli's mission as Chief Counsel is to be proactive in the exercise of broad responsibilities, including the prevention of lawyer misconduct; education of lawyers, the public and the courts regarding lawyers' professional obligations; intervention when appropriate to protect the public interest; and prosecution when necessary to address failure to comply with professional conduct obligations.

Ms. Rocanelli's work as Chief Counsel also includes identifying lawyers with substance abuse and/or mental health issues and assisting them in obtaining professional rehabilitative treatment. Ms. Rocanelli worked closely with the Delaware Supreme Court and committees of the Delaware State Bar Association to develop more effective mentor relationships for troubled attorneys. In addition, she was part of task force appointed by the Court in 2006 to create and fund the Delaware Lawyers' Assistance Program for members of the Bench and Bar with alcohol, drug, gambling, emotional, behavioral or other problems that may have an impact on well-being and professional performance. In 2007, Ms. Rocanelli was appointed as a member of the Advisory Committee to the ABA Commission on Lawyer Assistance Programs.

Since 1993, Ms. Rocanelli has been active as a coach and mentor for high school students at a Delaware Catholic high school for girls, Padua Academy, in connection with mock trial competitions at the state and national levels. She also serves on the Board of Trustees for Padua.

Andrea L. Rocanelli graduated from Boston College, *summa cum laude*, in 1986 and Harvard Law School in 1989. She became a member of the Massachusetts Bar in 1989 and the New York Bar in 1990. After several years of private practice in Boston, she joined Morris, Nichols, Arsht & Tunnell in 1992 and became a member of the Delaware Bar in December 1992.

## ***JEROME O. HERLIHY***

Married, two children  
Friends School Wilmington  
Dartmouth College, 1963  
University of Pennsylvania Law School, 1966

### **Public Offices:**

Deputy Attorney General: 12/66-5/69  
Counsel to Governor: 6/69-12/70  
Chief Deputy Attorney General: 1/71-9/74  
Vice-Chairman Governor's Investigative Strike Force: 1973-74  
Delaware Boundary Commission: 1977-89  
Delaware Heritage Commission: 1985-89  
Superior Court Judge: 2/89 - present

### **Civic Organizations:**

Member of Board, Riverside Hospital: 8/81 - 10/90, 1991-1995  
Chairman, Board of Directors, Riverside Hospital: 11/91 - 11/94  
Member of Board, Limen House (halfway house for recovering alcoholics):  
1975-78  
President, Masonic Club of Delaware: 1977-78  
Treasurer, Dartmouth Club of Delaware: 1975-76  
Member of the following:  
St. Stephen's Lutheran Church  
Kiwanis Club of Wilmington: 1983-89; Board Member: 10/85-87  
Masonic Club of Delaware: 1966-88  
Delaware Consistory: 1969-92  
duPont Lodge #29 A.F. and A.M. since 12/62  
Sons of the American Revolution  
Huguenot Society

### **Professional:**

Delaware Bar Association  
Supreme Court Censor Committee, Associate Member: 1975-79  
Advisory Committee on Supreme Court Rules, Member: 1978-89  
Supreme Court Advisory Committee on the ABA Standards for Criminal Justice,  
Member: 1973-76  
Superior Court Committee to Develop Pattern Jury Instructions on the New  
Criminal Code, member: 1972-73  
While in the Attorney General's Office: Courts Long Range Planning Committee,  
Member: 1972-74  
Supreme Court Advisory Committee on Counsel for Indigent Defendants,  
Member: 1976-77  
Special Counsel, Senate Ethics Committee investigating Sen. John Arnold: 1986  
Chairman, Superior Court Individual Civil Case Assignment Committee: 1995-96  
SENTAC, Member: 2005-present  
Delaware Sentencing Research Committee, Member: 1/07- present

Richard G. Andrews is Delaware's State Prosecutor, a position he has held since January 2007. He served as an Assistant U.S. Attorney for the District of Delaware from 1983 to 2007, and began his legal career as a law clerk to Chief Judge Collins J. Seitz of the United States Court of Appeals for the Third Circuit.

**BRIAN JAMES BARTLEY**

Brian James Bartley is a graduate of the University of Delaware and the Delaware Law School where he was inducted into the *Phi Delta Phi* Legal Honor Fraternity. He was admitted to practice before the Delaware Bar in 1981 as well as before United States Supreme Court and the Third Circuit Court of Appeals. He has appeared in all courts of the state in both criminal and civil matters. He has extensive trial and appellate experience including several noteworthy death penalty cases. Mr. Bartley presently serves as the Chief Deputy Public Defender of the State of Delaware. He has been employed by the Public Defender since 1980.

In addition to his professional activities, he has served on various non-profit boards and commissions. He has been a member of the Delaware Commission for Women since 1994 and has served, *inter alia*, as chair of both its Legislative and Civil Rights Committees. In addition, he is currently the Vice President of the Epilepsy Foundation of Delaware as well as member of the Board of Director for the Graham Senior Center.

**JAMES BRENDAN O'NEILL**

James Brendan O'Neill (Brendan) is a graduate of Dartmouth College and The King Hall School of Law at the University of California at Davis. He was admitted to the California Bar in 1975 and the Delaware Bar in 1993. He served as a Deputy District Attorney in Los Angeles County and as an Assistant United States Attorney in Los Angeles. He was in private criminal defense practice in Santa Monica for 14 years before moving to Delaware in 1993. Mr. O'Neill is presently Chief of Legal Services for the Office of the Public Defender of the State of Delaware where he has served for over 13 years. In 2006 the Delaware Association of Criminal Defense Lawyers named Mr. O'Neill the recipient of its Killen Award, presented to an individual seeking fairness and justice for persons accused of crime. In 2008 Mr. O'Neill was inducted as a Fellow of the American College of Trial Lawyers.

### **Biography of Carol A. Tavani, M.D., M.S., F.A.P.A.**

Dr. Carol A. Tavani is a renowned neuropsychiatrist practicing in the state of Delaware. A graduate of Jefferson Medical College, she practices neuropsychiatry as Executive Director of Christiana Psychiatric Services. Her subspecialty expertise is in neuropsychiatry and neuropharmacology in medical-surgical patient populations. Her background also includes having spent several years in emergency medicine. As stated in Delaware Today magazine, "Armed with an arsenal of modern drugs, Dr. Tavani is one of a new breed of psychiatrists who takes a medical approach to mental disorders."

She is a Life Trustee of Christiana Care Health System, was President of the Medical Staff of Christiana Care, and is a Past President of the Medical Society of Delaware as well. She has the distinct honor of being the first woman to hold each of those positions.

On the national front, Dr. Tavani represented the Medical Society and Delaware's physicians as Delegate to the House of Delegates of the American Medical Association (AMA), and currently is Christiana Care's representative and State Chair at the Organized Medical Staff Section of the AMA. Dr. Tavani was elected in 2004 as President of the AMA's Organization of State Medical Association Presidents.

She has chaired the State's Physicians' Health Committee, which aids colleagues with psychiatric and other related difficulties, since 1987. She serves on the Ethics Committee of the Federation of State Physician Health Programs. She also sits on the Professional Guidance Committee of the Delaware Bar Association.

She is a board-certified neuropsychiatrist, a Diplomate of the American Board of Psychiatry & Neurology, a Distinguished Life Fellow of the American Psychiatric Association, and a Diplomate of the American College of Forensic Examiners

She serves as consultant and distinguished faculty to numerous pharmaceutical companies, and lectures and teaches nationwide. Dr. Tavani is a respected forensic consultant and expert witness. She has had several years' experience providing services in Delaware's prison system. Her expertise puts her in demand across the country as a speaker, and finds her frequently interviewed and quoted by the media.

In addition to her professional involvement, Dr. Tavani finds time to be involved in many civic activities and animal welfare projects, including serving on Delaware's Attorney General's Task Force on Animal Cruelty and Domestic Violence. She was recently elected to the Board of Directors of Faithful Friends, a no-kill animal sanctuary dedicated to elimination of the needless euthanasia of homeless cats and dogs.

**Robin M. Maher, Esq.** has been Director of the ABA Death Penalty Representation Project in Washington, DC since 2001. The Project works to improve the systems that deliver legal services to indigent defendants charged with or convicted of capital crimes through systemic litigation and other reform efforts. The Project educates the bar and public about the crisis of counsel and recruits, supports and trains volunteer lawyers from civil law firms across the country to represent death-sentenced prisoners who lack counsel.

The Project was responsible for the revision and adoption of the 2003 ABA Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases. The U.S. Supreme Court and many other state and federal courts now cite to the Guidelines as the leading authority on the standard of care in the defense of death penalty cases.



**President Judge James T. Vaughn Jr.**

The Honorable James T. Vaughn Jr. was appointed Resident Judge in Kent County of the Superior Court of Delaware on October 28, 1998; elevated to President Judge of the Superior Court on October 12, 2004.

President Judge Vaughn received his B.A. from Duke University in 1971 and his J.D. from Georgetown University Law Center in 1976. Following admission to the Delaware Bar in 1976, he returned to Dover to practice general civil and criminal law in the firm of Vaughn and Vaughn. In 1988 he became a member of the firm of Schmittinger and Rodriguez in Dover.

While in private law practice, he served as an associate member of the Board on Professional Responsibility of the Supreme Court of Delaware, president of the Kent County Bar Association, and vice-president of the Delaware State Bar Association.

President Judge Vaughn is a member of the Kent County Bar Association, Terry-Carey American Inn of Court and National Conference of State Trial Judges. He served as a judicial member of the Joint Bar/Bench Committee on Civility and as a member of the Judicial Ethics Advisory Committee.

President Judge Vaughn's present term ends October 11, 2016.

Kevin J. O'Connell  
*Curriculum Vitae*

Education

Vanderbilt University: B.A. 1981  
Delaware Law School: J.D. 1984

Professional

1984-2005: Private Practice of Law with  
concentration on people accused of  
crime

September 2005-present State of Delaware, Office of the Public  
Defender

Michael Wiseman is a Supervisory Assistant Federal Defender in the Capital Habeas Corpus Unit of Federal Defender in Philadelphia. He is one of the original three lawyers in this Unit and has been with it since its inception in 1995. Before joining the Habeas Unit, Michael was a senior staff attorney for the Pennsylvania Post-Conviction Defender Organization (1994-1995). His twenty five years of legal experience also include service as the popularly elected Secretary-Treasurer of the Association of Legal Aid Attorneys (the Union representing lawyers employed by New York City's Legal Aid Society), as a staff attorney for the Legal Aid Society of New York's Prisoners Rights Project and for the Legal Aid Society of Nassau County, as well as work in private practice. Michael graduated from the State University of New York at Buffalo, School of Law in 1981.

## **Resident Judge T. Henley Graves**

The Honorable T. Henley Graves became a Judge of the Superior Court of Delaware on June 1, 1989. He became Resident Judge on January 19, 2000.

Resident Judge Graves received his B.A. in Economics from the University of Delaware in 1970. He received his J.D. with honors from the University of Maryland in 1973. He served as a prosecutor in the State's Attorneys' Office in Baltimore, Maryland and in the Department of Justice in Georgetown, Delaware. Prior to joining the Superior Court, he was a partner with the law firm of Fuqua and Graves in Georgetown, Delaware.

Resident Judge Graves' present term ends January 19, 2012.

Loren C. Meyers graduated in 1979 from the University of Chicago, and he obtained his law degree in 1982 from the College of William and Mary. Before joining the Delaware Department of Justice in 1984 as a deputy attorney general in the Appeals Division, he was a law clerk for the Delaware Supreme Court and then Clerk of the Court. Mr. Meyers became chief of the Appeals Division in January 1996 and served for 12 years as Division Head. He is currently a deputy attorney general in the Appeals Section of the Criminal Division of the Department of Justice.

Robert Dunham is Director of Training for the Capital Habeas Corpus Unit of the Federal Community Defender's office in Philadelphia, and an adjunct professor of death penalty law at Villanova law school. From 1994 until its closing in 1999, he was executive director of the former Pennsylvania Capital Case Resource Center.

Mr. Dunham has represented death row inmates in all of Pennsylvania's state and federal appeal and post-conviction courts, from helping to obtain stays of execution (now more than 250) to arguing in the United States Supreme Court. He has been involved in some of the best known capital cases in Pennsylvania, winning the first Pennsylvania reversals of capital convictions that were obtained as a result of racially discriminatory jury selection practices, enforcing the rights of defendants with mental retardation not to be executed, and overturning numerous death sentences for counsel's ineffectiveness in failing to investigate and present a meaningful case for life.

Mr. Dunham has taught death penalty training programs across the country for federal, state, and local courts and state, local, and national bar associations and criminal defense organizations. He also has lectured on the death penalty at numerous law schools and colleges. He currently serves on the Steering Committee of the American Bar Association's Death Penalty Representation Project; as a member of the Board of Directors of the Pennsylvania Association of Criminal Defense Lawyers (PACDL), for whom he is also co-chair of the death penalty committee; and as a member of the Philadelphia Bar Association's *Delivery of Legal Services Committee*; and is a Fellow of the American Bar Foundation. He is scheduled to be part of the People to People Citizen Ambassador Program criminal defense delegation that is traveling to China this fall.

## **Bernard J. O'Donnell**

B.A. University of Delaware 1974

J.D. Albany School of Law 1977

Clerk of Superior Court 1977-1978

Wilmington Law Department 1978-1987

Office of Public Defender 1987-2008

### **Judge Joseph R. Slights III**

The Honorable Joseph R. Slights, III, was appointed to the Superior Court of Delaware by Governor Thomas R. Carper on November 2, 2000.

Judge Slights received his B.S. *cum laude* in Political Science from James Madison University in 1985, and his J.D. degree from Washington and Lee University School of Law in 1988. He was admitted to the Delaware Bar in 1988.

Prior to joining the Superior Court, Judge Slights was an associate in private practice with the firm Richards, Layton & Finger from 1988 to 1990 where his practice focused on corporate litigation. From 1990 to 1992, he was an associate with the Law Offices of Sidney Balick where he practiced in the areas of personal injury, commercial litigation and white collar criminal defense. From 1992 to 2000, he was a partner with the law firm Morris, James, Hitchens & Williams, where he practiced in the areas of health law, white collar criminal defense and corporate and commercial litigation. He was Vice Chairman of the Health Law practice group and Chairman of the firm's recruiting committee.

Judge Slights is a member of the American Bar Association and the Delaware State Bar Association. He is a past chairman of the Health Law section of the Delaware State Bar Association. He currently serves as Chairman of the Judicial Ethics Advisory Committee of the Supreme Court of Delaware and is also chairing a project to develop "*plain English*" pattern criminal jury instructions for the Superior Court. He has been specially assigned to preside over the Court's complex tort litigation docket.

Judge Slights' current term ends November 2, 2012.



Edson A. Bostic is the Federal Public Defender for the District of Delaware. Mr. Bostic has defended major criminal cases in Pennsylvania, New York and Delaware and is responsible for overseeing the defense of indigent defendants in the District of Delaware.

Upon graduating from law school, Mr. Bostic served as the Pro Se Law Clerk for the United States Court of Appeals for the Second Circuit. Mr. Bostic then worked as an Assistant Defender for the Broome County, New York Public Defender's Office and for the Defender Association of Philadelphia.

Mr. Bostic left the Defender Association to join Cozen O'Conner, a Philadelphia law firm, followed by a brief stint as a principal in a small law firm. Mr. Bostic returned to the Defender Association of Philadelphia, where he spent the next 12 years of his career and served as the Managing Attorney for the Defender Association's Allentown Branch. In November 2006, Mr. Bostic joined the Federal Defender for the District of Delaware as the Acting Federal Public Defender.

Mr. Bostic has taught trial advocacy at Widener University School of Law and the Beasley School of Law at Temple University and brings substantial civil and criminal litigation experience to the Defender's Office.

**Contact Information:**

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**Education**

Rutgers School of Law-Camden, J.D., 1980

Temple University, B.A., 1977

**Bar Admissions**

Pennsylvania

New York

**Associations**

Federal Bar Association

National Bar Association

**PETER LETANG, ESQUIRE**

**EDUCATION**

Wilmington Friends School, 1966  
Bucknell University, B.A., 1970  
Baylor University School of Law, J.D., 1974

**FAMILY**

Married, 2 Children

**PROFESSIONAL HISTORY**

Admitted to Texas Bar, 1974

Admitted to Delaware Bar, 1975

Deputy Attorney General, 1974 - 1980; 1986 – 2006

Assistant Counsel to Governor DuPont, 1980 – 1982

Private Practice, 1982 – 1986

Office of the Public Defender, 1982 – 1986

Deputy Attorney General, 1974 – 1980; 1986 to 2006

- \* Unit Supervisor of the Sex Crimes Unit, 1986 – 1991

- \* Unit Supervisor of the Drug Unit, 1991 – 1996

- \* Unit Supervisor of the Felony Trial Unit, 1996 – 2000

Chief Prosecutor, New Castle County, 2001 – 2006

Private Practice, 2006 – Present

Voted Best Criminal Prosecutor,  
Delaware Today Magazine, Lawyers Poll, 1996; 1999; 2000; 2002

### **NOTABLE CASES**

State v. David A. Dutton (1978) Defendant abducted West Chester University co-ed Susan Spohn, from a popular University Bar near the Brandywine Racetrack. Body parts recovered New Year's Day, 14 months later, off a fairway at the Hercules Country Club. Sixteen forensic experts testified for the State. Convicted of Murder 1<sup>st</sup> Degree, 15 weeks of trial.

State v. Abraham Feleke (1989) University of Delaware physics doctoral candidate convicted of raping his daughter. Victim was three years old and only spoke Ethiopian. Defendant sentenced to 60 years minimum/mandatory.

State v. Steven Brian Pennell (1991) Abductions and torture murders of females along the Route 13/40 corridor. Defendant convicted of two capital murders and eventually pled to two others. Delaware's first execution in 45 years; first by lethal injection. Case represented the first use of DNA evidence in a Delaware criminal proceeding.

State v. James B. Clark (1995) Defendant had been released from Delaware Department of Corrections after having served a 20 year sentence for the kidnapping, rape and assault of a three year old girl. Defendant was 17 years old when sentenced in 1974. He moved in with his parents in Eastburn Acres and murdered them approximately two months after his release from D.C.C. Defendant executed in 1997 for two counts of Capital Murder.

State v. Amy Grossberg

State v. Brian Petersos (1996) University of Delaware students who disposed of their newborn child in a dumpster in Newark. From affluent families in New Jersey, over a million dollars was spent in their defenses. Both pled to Manslaughter.

State v. William Bryan Henry (2000) Defendant murdered Siobhan Canty at their residence in Edgemoor. Her body was stuffed in a suitcase and recovered weeks later along Route 9, south of New Castle. Defendant convicted of Murder 1<sup>st</sup> Degree after unsuccessfully claiming mental illness defenses. Defendant sentenced to life.

State v. Motiva (2003) Tank Farm explosion at the Delaware City Oil Refinery caused the death of Mr. Jeffrey Davis, iron worker and injured a number of other workers. Motiva and parent conglomerate pled guilty to Manslaughter. First criminal plea for a corporation in Delaware history.

State v. Tyrone Guy

State v. Akbar Hassan-El (2001 – 2005) Defendants murdered Abdul Alamari, operator of a Jack and Jill Ice Cream Truck, during an attempted robbery. Defendants tried separately and both convicted of Murder First Degree. Both defendants sentenced to life.

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

**GREGORY M. SLEET**  
UNITED STATES DISTRICT JUDGE

U.S. COURTHOUSE  
844 N. KING STREET  
LOCKBOX 19  
WILMINGTON, DE 19801

(302) 573-6470  
(302) 573-6472 FAX

**Honorable Gregory M. Sleet**

Gregory M. Sleet, a native of New York City, New York, became Chief Judge of the United States District Court for the District of Delaware on July 1, 2007. He is a graduate of Hampton University, Hampton, Virginia and Rutgers University School of Law at Camden, New Jersey, where he was an Earl Warren Legal Scholar. He received his Juris Doctorate in 1976.

Judge Sleet has had a varied professional experience in the law consisting primarily of civil and criminal litigation and corporate legal work. From 1992-1994, he served as in-house counsel in the legal department of Hercules Incorporated. Prior to that, he was a Deputy Attorney General for the State of Delaware and, prior to that, practiced law in Philadelphia, Pennsylvania for fourteen years -- six of those as an assistant public defender with the Defender Association of Philadelphia.

At age 43, Judge Sleet took the oath of office on Monday, June 13, 1994, to become the first African-American U.S. Attorney for the District of Delaware. In January of 1995, he was appointed by United States Attorney General Janet Reno to the Attorney General's Advisory Committee for a two-year term. The AGAC is a group (numbering about 17 U.S. Attorneys at that time) that meets regularly in Washington, D.C. to assist and advise the Attorney General in setting policy and strategic direction for the U.S. Department of Justice. On August 4th of 1995, Ms. Reno further honored U.S. Attorney Sleet by naming him the Vice Chair of the Committee for the 1995-96 session. Additionally, Judge Sleet is the 1994 Distinguished Service Award recipient of the National Association for the Advancement of Colored People, Central Delaware Branch. In 1998, *Delaware Today* magazine selected him as Delawarean of the Year. In 2000, Judge Sleet was named one of "Fifty of the Finest" graduates in the first fifty years of Rutgers University - Camden Division.

Judge Sleet is currently a member of the Board of Overseers of the Widener University School of Law, a member of the Board of Directors of the St. Michael's Day School and Nursery, Board Member of the Criminal Justice Council of the State of Delaware, Member of the District Court Advisory Committee, Member of the District Court Technology Committee, Advisory Council Member of Nemours Health and Prevention Services, Member of the Third Circuit Committee on Criminal Pattern Jury Instructions, and he has served as Chair of the Victim's Advisory Subcommittee of the Criminal Justice Council from 1994 to 2006.

On April 27, 1998, Judge Sleet was confirmed by the United States Senate to the

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

**GREGORY M. SLEET**  
UNITED STATES DISTRICT JUDGE

U.S. COURTHOUSE  
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WILMINGTON, DE 19801

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United States District Court for the District of Delaware. He was sworn-in as a Judge of that Court on September 28, 1998.

# Judith L. Ritter

Professor of Law

B.A. State University of New York at Buffalo  
J.D., Georgetown University School of Law

Email: [jlritter@widener.edu](mailto:jlritter@widener.edu)

Phone: (302) 477-2121

Judith L. Ritter is Professor of Law and Director of the Criminal Defense Clinic at Widener University's Delaware campus. Professor Ritter received a B.A. from the State University of New York at Buffalo in 1976, and a J.D. from Georgetown University Law Center in 1979, where she was a member of the Law and Policy in International Business Law Review.

Following graduation from law school, Professor Ritter served as a Staff Attorney for the Legal Aid Society of Nassau County, Mineola, New York from 1979-86; Clinical Staff Attorney, Rutgers, Newark, New Jersey, from 1986-90; Associate Counsel, Community Service Society of New York, New York City, New York, from 1990-93; and Visiting Associate Professor of Law, Hofstra University from 1993-1994.

Professor Ritter joined the faculty at Widener as Associate Professor of Law in 1994 and has served as Professor of Law since 2002. Professor Ritter is admitted to practice in New York, New Jersey and Pennsylvania, and she teaches and writes in the areas of Criminal Law, Criminal Procedure and Post Conviction Remedies.

Professor Ritter has been active in a number of professional and civic organizations, including the AALS Section on Clinical Education, Clinical Legal Education Association, and Volunteer Counsel, Center for Legal Education, Advocacy and Defense Assistance.

## Selected Recent Publications

- *Widener Law Criminal Defense Clinic: Twelve Years of Making A Difference*, WID. L. MAG. Spring 2007 Vol. 14 No. 1 at 7.
- *Your Lips Are Moving....But the Words Aren't Clear: Dissecting the Presumption That Jurors Understand Instructions*, 69 MO. L. REV. 163 (2004).
- *Criminal Trials of Co-defendants – The United States Supreme Court Clarifies the Rules*, PA. B. ASS'N Q., Vol. LXX, No. 1 (January 1999).
- *The X Files: Joint Trials, Redacted Confessions and Thirty Years of Sidestepping Bruton*, 42 VILL. L. REV. 855 (1998).
- & Michael Wiseman, *The Rush to Execution: The Emptying of Pennsylvania's Death Row*, WID. S. L. MAG. Fall 1995 at 31.

## GEOFF MOULTON

Geoff Moulton is Associate Professor of Law at Widener's Delaware campus. Professor Moulton received a B.A. from Amherst College in 1980, and a J.D. from Columbia University School of Law in 1984, where he served as Managing Editor of the *Columbia Law Review*.

Following graduation from law school, Professor Moulton clerked for Wilfred Feinberg, U.S.C.A., 2d Circuit, New York City, NY, from 1984-85. He then clerked for William H. Rehnquist, U.S. Supreme Court, Washington, DC, from 1985-86, served as Special Counsel to Assistant Attorney General, Criminal Division, U.S. Department of Justice, Washington, DC, in 1988, and as Assistant U.S. Attorney, Eastern District of Pennsylvania, from 1986-90. Professor Moulton was in private practice with Kohn, Klein, Nast & Graf, P.C., Philadelphia, PA, from 1990-92, and with Dechert, Price & Rhoads, Philadelphia, PA, 1992-93. He served as Project Director, Waco Administrative Review, U.S. Department of the Treasury, Washington, DC, in 1993.

Professor Moulton was on leave from the Law School from August 2001 through August 2005, serving in the U.S. Department of Justice as First Assistant United States Attorney for the Eastern District of Pennsylvania.

Professor Moulton, who is admitted to practice in Pennsylvania, joined the faculty at Widener as Associate Professor of Law in 1993. Professor Moulton teaches and writes in the areas of Criminal Law, Criminal Procedure, White Collar Crime, and Evidence.

Professor Moulton has been active in a number of professional and civic organizations, including the Natural Lands Trust, the region's largest, non-profit conservation organization.

Professor Moulton's recent publications include:

*Consistency, Proportionality, and Substantive Judicial Review in Capital Sentencing*, 80 IND. L.J. 98 (2005).

& Daniel C. Richman, *Of Prosecutors and Special Prosecutors: An Organizational Perspective*, 5 WIDENER L. SYMP. J. 79 (2000).

*The Quixotic Search for a Judicially Enforceable Federalism*, 83 MINN. L. REV. 849 (1999).

*Federalism and Choice of Law in the Regulation of Legal Ethics*, 82 MINN. L. REV. 73 (1997).

Professor Moulton can be reached at e-mail address: [gmoulton@widener.edu](mailto:gmoulton@widener.edu)



## Speaker Biography for Mary Lou Gagliano, Federal Habeas Corpus panel

Mary Lou Gagliano has been the pro se habeas law clerk at the United States District Court for the District of Delaware since 2003. She is responsible for screening, managing, and researching the issues presented in non-capital habeas corpus petitions filed by Delaware state prisoners pursuant to 28 U.S.C. § 2254, as well as motions to vacate, set aside, or correct sentence filed by federal prisoners pursuant to 28 U.S.C. § 2255. After reviewing the record, she drafts proposed orders and opinions for the Court's approval. Mary Lou earned her B.A. degree from Hamilton College and her J.D. degree from Cornell University Law School.

## Judge Jan R. Jurden

The Honorable Jan R. Jurden, a Delaware native, was appointed to the Superior Court of Delaware in May 2001.

After serving three years in the United States Army overseas, Judge Jurden received her B.A. *summa cum laude* from Muhlenberg College in 1985 and her J.D. from the Dickinson School of Law (now the Dickinson School of Law of the Pennsylvania State University) in 1988 where she was an Articles Editor of the *Law Review* and a member of the Woolsack Honor Society.

She practiced law as an Associate with the law firm of Young, Conaway, Stargatt & Taylor from 1988 to 1995 concentrating on corporate and personal injury litigation, and became a Partner in 1996. She continued her law practice at Young, Conaway until May 2001. During her 13 years at Young, Conaway, Judge Jurden handled many *pro bono* matters in Family Court, Superior Court, Chancery Court, and the U.S. District Court.

Judge Jurden is a member of the American Bar and the Delaware State Bar Associations and the National Association of Women Judges. She is a member of the Advisory Committee on the Delaware Rules of Evidence and the Advisory Committee on Professionalism. She is a member of the Richard S. Rodney Inn of Court.

Judge Jurden is the 1996 recipient of the *New Lawyers Distinguished Service Award*, awarded to one who, "by exemplary leadership and service dedicated to the cause of good citizenship in civic and humanitarian service over a period of less than ten years has maintained the integrity and honored recognition of the legal profession in community affairs and who, as an outstanding Delawarean, has unceasingly advanced the ideals of citizen participation and community accomplishment, thus reflecting high honor on both country and profession."

Judge Jurden is also the 1997 recipient of the *Caleb R. Layton III Service Award* awarded to one who "personifies the qualities of a federal practitioner, legal acumen, professional decorum and public service."

Judge Jurden's present term ends May 29, 2013.

Michael S. McGinniss

**Disciplinary Counsel  
Office of Disciplinary Counsel of the Supreme Court of Delaware**

Michael S. McGinniss, Esquire has served as a Disciplinary Counsel for the Office of Disciplinary Counsel, an arm of the Supreme Court of Delaware, since 1998. He received his undergraduate education from Washington College in Chestertown, Maryland, graduating *summa cum laude* and first in his class. He received his legal education from the College of William and Mary, Marshall-Wythe School of Law, where he served on the Board of Editors for the Law Review and was inducted into the Order of the Coif, graduating third in his class. After law school, Mr. McGinniss served as the law clerk for the Honorable Randy J. Holland of the Supreme Court of Delaware. He then practiced as an associate with the Wilmington firm of Potter Anderson & Corroon LLP.

Mr. McGinniss is admitted to the bars of Delaware, the United States Supreme Court, and the United States District Court for the District of Delaware. He is an Adjunct Professor at the Widener University School of Law, and a member of the American Bar Association's Center for Professional Responsibility, the Delaware State Bar Association, and the National Organization of Bar Counsel. Mr. McGinniss has also served as a member of the Delaware State Bar Association's Committee on Document Retention and Disposition, as well as the Bar Association's *Ad Hoc* Committee Regarding the Registration of Non-Delaware Lawyers.

Paul R. Wallace currently serves as the Chief of Appeals of the Delaware Department of Justice. Paul received his B.A. in Criminology (with minors in Psychology and Sociology) from the University of Maryland. A graduate of the Columbus School of Law of the Catholic University of America, he has engaged in death penalty litigation on behalf of the State at every trial and appellate level since 1989. Paul lives in Hockessin with his wife, Lisa, and two children.

Jennifer-Kate Aaronson graduated cum laude from Widener University School of Law in 1995. Ms. Aaronson was admitted to the N.J. and PA bar in 1995 and the Delaware bar in 1996. After ten years with the firm Potter, Carmine and Aaronson, P.A., she opened her own practice in September 2007. As court appointed counsel, Ms. Aaronson has handled numerous capital cases as well as other serious felony cases.

Gregory E. Smith

Mr. Smith has served as a Deputy Attorney General in the Delaware Department of Justice since September 1999. He is currently a member of the Appeals unit of the Criminal Division. He is defending the State of Delaware's lethal injection protocol challenged in a section 1983 lawsuit (*Jackson v. Danberg*, C.A. No. 06-300-SLR) presently pending in District Court, and a petition for writ of mandamus (*Jackson v. Danberg*, C.A. No. 07M-09-141 RRC) presently pending in Superior Court. He is a graduate of Washington & Lee University and the Texas Tech University School of Law. He is admitted to practice in the Delaware Supreme Court, Third Circuit Court of Appeals, and District of Delaware.